

REMARKS/ARGUMENTS

1. The Applicant has carefully considered the official communication dated January 14, 2004. Applicant respectfully submits that the amendment and the following remarks are fully responsive to the official communication.
2. The claims have been amended in light of the official communication. It is submitted that no new matter has been added as a result of the amendment.
3. In paragraph 3 of the Final Rejection, the Examiner has rejected claims 1 to 60 under 35 U.S.C. §103 (a) as being unpatentable over Roberts.
4. Claim 1 has been amended to emphasize the fact that the invention includes first and second data storage devices that are connectable to a network, and storing first and second information respectively. Furthermore, claim 1, as amended, emphasizes the fact that the interface module is configured to read the, or each, identifier.
5. It is respectfully submitted that there are a number of significant differences between the invention as claimed in claim 1, as amended and that of Roberts.
6. Firstly, Roberts does not disclose first and second data storage devices. The reason for this is simply that the lottery system of Roberts is only required to print one item of information, namely that necessary to provide the purchaser with a completed lottery ticket (column 2, lines 25 to 29). That information is stored in a "remotely located computer 18" (column 3, line 60), which is a single "data storage device".
7. Secondly, Roberts does not disclose an interface module that permits a user to request the first information on a first printed medium that is generated by the printer, which also prints the identifier on the first printed medium. Rather, Roberts discloses a system which is capable of vending pre-printed lottery tickets and a printer that is limited to printing one item of information, as explained above.

8. Thirdly, Roberts does not disclose a calculation means for determining a payment to be made by a second party controlling the second database to a first party controlling the first database. The reason for this is simply that Roberts does not disclose two databases and respective two parties. Roberts relates to the vending of lottery tickets. Thus, there are only two parties involved, namely the purchaser and the vendor. The present invention, as claimed in claim 1, as amended, discloses a user, a first party and a second party. The reason for this is that one aspect of the present invention relates to a system which is capable of generating a commission payment from the first party to the second party, depending on the actions of the user. Thus, the calculation means of claim 1, as amended, is responsive to the interface module.
9. In the Final Rejection, the Examiner has stated that Roberts reasonably suggests an identifier means for applying an identifier to the first printed medium such that designation of the identifier by the user results in the module generating a second printed medium. In support of this, the Examiner has stated that the disclosure of Roberts would have been selected in accordance with the identifier means because such a selection would have provided an improved lottery ticket terminal.
10. As set out above, claim 1 has been amended to emphasize the fact that the interface module is configured to read the identifier printed by the printer. However, Applicant submits that the following remarks remain apposite to the Examiner's statements.
11. Applicant respectfully submits that it is not clear why the provision of a printer that is capable of printing a first printed medium together with an identifier to be read by an interface module would lead to an improved lottery ticket terminal. Applicant respectfully points out to the Examiner that the Final Rejection provides no reasoning as to why such an improved lottery ticket terminal would be provided.
12. As is notoriously well known, lottery tickets are purchased from a vendor in a pre-printed format. It is respectfully submitted that nothing in Roberts et al suggests applying the identifier to the ticket at the terminal. It is respectfully submitted that there appears to be no advantage in doing so.

13. The Examiner is respectfully reminded of the case of *Hodosh v Block Drug Co. Inc.*, 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed Cir. 1986) in which it was held that when applying 35 USC 103, the following tenets of patent law must be adhered to:
 - (a) The claimed invention must be considered as a whole;
 - (b) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
 - (c) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and
 - (d) Reasonable expectation of success is the standard with which obviousness is determined.
14. It is respectfully submitted that in considering the claimed invention as a whole, there is provided a number of components that are connectable to a network. These comprise a printer, a first data storage device, a second data storage device and a calculation means. As set out above, Roberts does not disclose such a system.
15. It is respectfully submitted that in order to make the step from Roberts to the invention as claimed in claim 1, as amended, it is necessary to make use of hindsight, which is impermissible. As set out above, Roberts does not suggest that applying the identifier to the ticket at the terminal would result in an improved lottery terminal, since there appears to be no apparent reason for such application at the terminal.
16. In view of the above paragraphs, it is respectfully submitted that the invention as claimed in claim 1, as amended, is not obvious in the light of Roberts.
17. Claims 2 to 5 are dependent on claim 1, as amended. Claim 6 has been deleted. Claim 7 is dependent on claim 1. Claims 8 and 9 have been deleted. Claims 10 to 15 are dependent on claim 1. Claims 16 and 17 have been deleted. Claim 18 has is dependent on claim 1. Claims 19 to 25 have been deleted. It follows that the above paragraphs apply to claims 2 to 5, 7, 10 to 15 and 18.
18. Claim 26, as amended, includes the limitation of the first and second data storage devices, the printer which is capable of applying the identifier and the interface module that is capable of reading the identifier. It follows that, for the reasons described above, Applicant respectfully submits that claim 26, as amended, is not obvious in the light of Roberts.

19. Claims 27 to 29 have been deleted. Claim 30 is dependent on claim 26, as amended. It follows that the above paragraph applies to claim 30.
20. Claim 31 is a method claim that incorporates the limitations of claim 1, as amended, in a method structure. It follows that, for the reasons described above, Applicant respectfully submits that claim 31, as amended, is not obvious in the light of Roberts.
21. Claims 32 to 34 are all dependent on claim 31. Claims 35 and 36 have been deleted. Claim 37 is dependent on claim 31. Claims 38 to 44 have been deleted. Claim 45 is dependent on claim 31. Claims 46 to 55 have been deleted. It follows that the above paragraph applies to claims 32 to 34, 37 and 45.
22. Claim 56 is a method claim that incorporates the limitations of claim 1, as amended, in a method structure. It follows that, for the reasons described above, Applicant respectfully submits that claim 56, as amended, is not obvious in the light of Roberts.
23. Claims 57 to 60 have been deleted.
24. Applicant notes the "Response to Arguments". However, for the reasons stated above, Applicant respectfully submits that Roberts does not suggest the selection of a printer that is capable of printing an identifier and an interface module that is capable of reading the identifier. Applicant further respectfully submits that the Examiner has not indicated why Roberts suggests such limitations. As set out above, there is no apparent reason why such limitations would provide an improved lottery ticket terminal.
25. The Examiner has stated that the claims of the instant invention do not clarify the first and second information. It is respectfully submitted that claim 1, as amended, clearly describes the first information as that which is printed on the first print medium and the second information as that which is printed on the second print medium. As set out above, these limitations extend through all the remaining claims. It is thus respectfully submitted that the claims, as amended, do clarify sufficiently the first and second information.

CONCLUSION

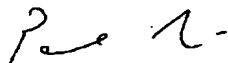
It is respectfully submitted that all of the Examiner's objections have been successfully traversed. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application are courteously solicited.

Very respectfully,

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